

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CYNTHIA ROCHA,  
Plaintiff,  
  
v.  
  
TARA K BAILEY, et al.,  
Defendants.

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Case No. 24-cv-04774-VC

**ORDER REMANDING CASE**

Re: Dkt. No. 6

The motion to remand is granted. It's clear that the sole purpose of these frivolous removals is to delay the state court proceedings. Removal is untimely because defendants filed the notice of removal more than 30 days after they were served with the complaint and summons. There is also no federal question jurisdiction because the plaintiff alleges a single state law claim for unlawful detainer. The defendants were also warned by Judge Lin's prior order that a further attempt to remove this action without an objectively reasonable basis could result in an award of fees and costs. Therefore, defendants are jointly and severally liable for an award of attorneys' fees incurred in responding to this second notice of removal in the amount of \$2,730.00. *See* 28 U.S.C. § 1447(c). Payment must be made within 28 days of this order.

The motion to shorten time and advance the hearing is denied as moot. The case is remanded to the Alameda Superior Court. The Clerk of the Court is ordered to close the case.

**IT IS SO ORDERED.**

Dated: August 20, 2024

  
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VINCE CHHABRIA  
United States District Judge